

NEBRASKA STATE BOARD OF HEALTH MEETING
MINUTES – June 22, 2015

ATTENDANCE NOTIFICATION. A regular meeting of the State Board of Health was called to order by the Chair, Wayne Stuberg, PhD, PT, at 1:00 PM on June 22, 2015 in Lower Level Conference Room D of the Nebraska State Office Building in Lincoln. Copies of the agenda were mailed to board members, news media, and other interested parties prior to the meeting, and posted on the Health and Human Services website. The following members were present: Kevin Borchert, PharmD, RP; Russell Hopp, DO; Diane Jackson, APRN; Teresa Konda, PE; Dale Michels, MD; Tony Moravec, DVM; Debra Parsow; Roger Reamer, MBA; Paul Salansky, OD; Wayne Stuberg, PhD, PT; Doug Vander Broek, DC; Joshua Vest, DPM; Jeromy Warner, PsyD, LP. Quorum met.

Members not in attendance: Shane Fleming, MSN, RN; Kevin Low, DDS; Travis Teetor, MD
Staff attending: Ron Briel, Monica Gissler

APPROVAL OF AGENDA. Dr. Stuberg asked if there were any changes to the agenda for the meeting today. Dr. Michels made a motion to approve the agenda; second by Dr. Warner. There being no objections, the agenda was approved by consent calendar.

APPROVAL OF MINUTES. Dr. Stuberg asked if there were any changes to the minutes from the March 23, 2015 meeting. There was a grammatical correction. Mr. Reamer made a motion to approve the minutes as amended, seconded by Dr. Hopp. The approved minutes will be posted on the DHHS website.

CHAIRPERSON'S REPORT. Dr. Stuberg reported on the following:

1. Jenifer Roberts-Johnson, Deputy Director of Public Health, would have attended today, but she had to go out of state. She passed along that if anyone has any questions for the director, to send them to her and she will do her best to get an answer.
2. Has anyone attended any professional board meetings that they would like to report on?
 - Dr. Borchert attended the Board of Pharmacy meeting on June 17th. It was a subcommittee meeting on Rules and Regulations.
 - Dr. Vander Broek attended the Board of Chiropractic meeting on June 18th.

There is a current 2015 Professional Board Meeting Schedule on the handout table. It is important that you let Monica know in advance when you plan to attend a meeting, and if you plan to attend the entire meeting or just a portion. If the meeting includes a working lunch, a lunch will not be ordered for you, unless specific arrangements are made. I want to stress that we are guests at the professional board meetings. We don't sit at the main table, and we don't vote. And as liaisons, we only want to attend 1 or 2 meetings per year.

3. Today we welcome a new member to our board:
Jim Trebbien was appointed to fill the remainder of the public member term, vacated by Janet Coleman. He recently retired as the Dean of the Culinary Institute of Metro College, after 35 years. He is from Bennington.

Today is the last regular meeting for Roger Reamer. He completes his second five-year term on August 1st. Dr. Stuberger presented an Admiralship for the Great Navy of the State of Nebraska, on behalf of Governor Ricketts.

Mr. Reamer has served as Vice Chair and now Chair of the Public Health, Education and Legislation (PHEL) Committee for the past four years. Prior to that, he served as Vice Chair of the Rules and Regulations Committee for three years. The Board of Health introduced a Public Health Recognition Program in 1998, and Roger is responsible for bringing more emphasis to this program and recognizing the good works of various public health organizations across the state. He volunteered to serve as Chair of the Technical Review Committee of the credentialing review for macro social workers. Overall he has been a great asset to the Board of Health, and we will miss him.

4. Staff changes at DHHS continue. Dr. Acierno resigned in May, and Dr. Tom Safranek is filling in as acting signatory Chief Medical Officer. Courtney Phillips has started as CEO. Dr. Stuberger met Ms. Phillips at a NOA fundraiser, and will meet with her on July 21 for a work event at Munroe Meyer. He will meet with Senator Campbell in late June to discuss LR 90. There is a strong chance that Kay Pinkley will not be replaced to support our Rules and Regulations Committee, so an alternative is being worked out for that.
5. Thanks to efforts by Dr. Michels, we have been officially invited by Beatrice Community Hospital and Health Center to hold our September 21st meeting at their facility. Professional Board interviews will be held there on Sunday afternoon as well.
6. Later on in our meeting we will hear from Anna Harrison, RN regarding the Compliance Monitoring program.

COMMITTEE REPORTS.

Rules and Regulations Committee – Dr. Borchert, Committee Chair, reported that they did not hold a committee meeting, as there are no proposed regulations ready for Board action.

Credentialing Review (407) Committee – Ms. Parsow, Committee Chair, presented.

The Report from the Board of Health on the Recommendations and Findings on Two Dental Auxiliaries Proposals to License Dental Assistants and Enhance the Scope of Practice of Dental Hygienists was reviewed, having been developed in March.

A yes vote means approval of the Board of Health report. This was a Committee motion for

approval of this report - voting yes: 14 (Borcher, Hopp, Konda, Michels, Moravec, Jackson, Parsow, Reamer, Salansky, Stuberg, Trebbien, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried, and approved.

Dry Needling issue. Dr. Vander Broek has talked with several individuals about this, and met with Senator Campbell last week. There was discussion to send a letter from the Board of Health to CEO Phillips with the 2013 Attorney General Opinion request and request for a Directed Review on Dry Needling, saying we have been advised by Senator Campbell to do. Dr. Vander Broek made a motion to send - voting yes: 14 (Borcher, Hopp, Konda, Michels, Moravec, Jackson, Parsow, Reamer, Salansky, Stuberg, Trebbien, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried, and approved. The draft letter will be sent to the Executive Committee for review and approval, Dr. Vander Broek and Ms. Parsow for review. A copy will be sent to all Board of Health members for ratification at the September 21st meeting.

The complete record for all Credentialing Review documents may be accessed at http://dhhs.ne.gov/Pages/reg_admcr.aspx.

Updates on other credentialing review issues.

Professional Boards Committee. Dr. Michels, Committee Chair, reported. Committee members reviewed applications for the Center for Nursing this morning for the three nurse positions recommended by the Board of Health to the Governor. The terms runs through June 21, 2018.

The Committee requested that in person or telephone interviews be scheduled with these three applicants for September 20th:

* Carmen DeMare, DNP
Nolan Gurnsey, RN
Kacindra Olberding, APRN-NP

The Committee made the following motion:

* Cindy Hadenfeldt, EdD, RN of Omaha, recommend reappointment for another three-year term running through June 21, 2018.

Voting yes: 14 (Borcher, Hopp, Konda, Michels, Moravec, Jackson, Parsow, Reamer, Salansky, Stuberg, Trebbien, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried, and approved. A letter will be sent to Governor Ricketts recommending Ms. Hadenfeldt for reappointment.

The Committee will conduct professional board interviews in Beatrice on Sunday, September 20th and in Lincoln on Sunday afternoon, October 25th. Applications are due by August 1st. There are over 50 vacancies to be filled on November 16, 2015. We especially need Public Member applicants!

Public Health, Education and Legislation Committee: Mr. Reamer reported.

Fuel Up To Play 60. Dr. Michels submitted this program for consideration. Their main goal is to fight childhood obesity, and also help ensure that students get a great start to their day with Grab and Go breakfast or in-classroom breakfast programs, without the stigma that may be associated with some school breakfast programs. It is a partnership between schools across the state of Nebraska and the Midwest Dairy Council, and several others including the Nebraska Action for Healthy Kids, Hunger Free Heartland, the USDA, and the Nebraska Association of School Boards. It is a successful endeavor to promote healthy eating and physical activity to youth in a fun and positive way. This program empowers youth through student leadership. The goal is to provide students with a voice by bringing their insight, ideas, and knowledge to the table. The work and dedication of this partnership is responsible for building a healthier student body at over 880 Nebraska schools.

Voting yes: 14 (Borcher, Hopp, Konda, Michels, Moravec, Jackson, Parsow, Reamer, Salansky, Stuberg, Trebbien, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried, and approved. Dr. Michels volunteered to present the certificate. d

Public Health Recognitions on the Web! To access a nomination form or to read about recent recognitions, visit <http://dhhs.ne.gov/publichealth/Pages/PublicHealthRecognitions.aspx>.

DHHS Program Spotlight. Anna Harrison, RN, who manages the Compliance Monitoring Program, presented on the types of discipline for health care professionals, and the processes used. There is a packet of information available.

Unfinished Business. None.

New Business.

- Board of Health Constitution – Proposed updates were suggested by DHHS attorney Kevin Griess. They were reviewed, and will be voted on for adoption on September 21st. Comments should be sent to Monica by September 1st.
- Board of Health Meeting Dates for 2016:
January 25, March 14 or 21, June 20, September 19, and November 14. PHEL will have a teleconference on January 21st to review introduced legislation. At this time there are no plans being discussed for a September meeting out of Lincoln, but suggestions are welcome.
- There was discussion about how complaints are handled with the professional boards. It was suggested that someone come to our November 16th meeting to present on the complaint process, ideally a representative of DHHS Legal, DHHS Investigations, and the Attorney General's office. There is a question concerning the legal authority of a professional board and

the process of initiating an investigation, and it would be nice to have this clarified. What about those issues that don't rise to the level of violating a statute, but that warrant review?

PUBLIC COMMENTS. None.

PREPARATION FOR NEXT MEETING. The next regular Board of Health meeting will be September 21st at Beatrice Community Hospital and Health Clinic.

ADJOURN. There being no further business, Dr. Michels made a motion at 1:57 PM to adjourn the meeting; seconded by Dr. Borchert. All in favor. Minutes were taken by Monica Gissler.

These minutes are DRAFT, and have not been approved by the Board of Health.

NOTE: If you would like to receive these minutes electronically instead of receiving a hard copy, please send a request to the email address below. Please also inform staff if you would like to be removed from this distribution list altogether.

If you would like any attachments mentioned in these minutes, or have other questions, please contact Monica Gissler, 402/471-6515, Fax 402/471-0383, or email at: monica.gissler@nebraska.gov.

6/26/15, mcg